

REMARKS

The Office Action mailed August 9, 2005, has been reviewed and the Examiner's comments have been carefully considered. Applicants respectfully request reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

Independent claim 64 has been amended to include the limitations of dependent claim 74. Claims 21-26, 73, and 74 have been canceled, and claims 75-78 have been added. After amending the claims as set forth above, claims 59, 63-72, and 75-78 are pending in this application. Claims 59, 63, 65, and 72 have been withdrawn from consideration. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claims remain under examination in the application, is presented, with an appropriate defined status identifier.

The specification and claims 21, 23-26, 64, 66-71, 73, and 74 were objected to because the amendment filed June 30, 2005 allegedly introduced new matter into the disclosure by reciting "a majority of the cavity" and "a minority of the cavity."

Claims 21-26 and 73, which recited "a majority of the cavity" and "a minority of the cavity," have been canceled from the application. Though Applicants disagree with the objection, to expedite the prosecution of this application those claims have been canceled without prejudice to later pursuing them. Thus the objection is moot as to those claims. With regard to the remaining claims, the objection is respectfully traversed because the allegedly objectionable phrases do not appear in any of those claims.

Claims 21, 23-26, 64, 66-71, 73, and 74 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. The Examiner did not explain the basis for this rejection. To the extent the rejection is based on the above-mentioned objection to the specification and claims, the rejection either has been overcome by the cancellation of claims 21-26 and 73 or is traversed for the reasons explained above.

Claims 21, 23, 24, 26, 64, 66-68, 70, and 71 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 4,852,941 (Jones).

Claims 21, 23, 24, and 26 have been canceled without prejudice to later pursuing them. Thus, the rejection is moot with regard to those claims.

With regard to claims 64, 66-68, 70, and 71, the rejection is respectfully traversed. Independent claim 64, for example, recites a child seat for seating a child within a vehicle, comprising a base and an object holder. After being amended to include the limitations of former dependent claim 74, claim 64 also recites that the child seat is configured for placement on a seat of a vehicle, and the child seat has a belt path configured to receive and locate relative to the child a lapbelt of a restraint system of the vehicle.

Jones fails to teach or suggest the child seat of claim 64. For example, Jones does not disclose a child seat (a) for seating a child within a vehicle, (b) configured for placement on a seat of a vehicle, and (c) having a belt path configured to receive and locate relative to a child a lapbelt of a restraint system of the vehicle. Instead, Jones discloses a podiatry chair. The podiatry chair is configured for placement on the floor of a building. Moreover, the Office has failed to identify any structure in Jones that constitutes a belt path configured to receive and locate relative to a child a lapbelt of a restraint system of a vehicle. Thus, independent claim 64 is patentable over Jones. Dependent claims 66-68, 70, and 71 are patentable over Jones for at least the same reasons.

Claims 25 and 69 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Jones in view of U.S. Patent No. 6,644,523 (Salas). This rejection is respectfully traversed.

Claim 25 has been canceled without prejudice to later pursuing it. Consequently, the rejection is moot with regard to that claim.

With regard to claim 69, assuming that Salas provides the teaching suggested by the Examiner, it still fails to remedy the deficiencies of Jones mentioned above in regard to claim 64. Accordingly, claim 69, which depends from claim 64, is likewise patentable over Jones and Salas.

New claims 75-78 are believed to be patentable over the references applied in the Office Action.

Applicants believe that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is believed that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicants hereby petition for such extension under 37 C.F.R. § 1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

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